D.B.CIVIL WRIT PETITION NO.7775/2006
Pyare Lal v.Union of India & ors.

Date of order : 29.03.2007.

HON'BLE THE CHIEF JUSTICE SHRI S.N.JHA
HON'BLE SHRI JUSTICE MOHAMMAD RAFIQ

. . .

Shri Mukesh Agarwal for the petitioner.

This writ petition is directed against the order of the Central Administrative Tribunal, Jaipur Bench in OA no. 53/2006 rejecting the application of the petitioner.

The petitioner had preferred the Original Application seeking direction to grant him pension taking into account the period of service as Extra Departmental Delivery Agent (EDDA) in the department of Post. It is not in dispute that petitioner was selected in group 'D' post vide letter dated 21.10.1993. The post of EDDA not being a pensionable post, we are of the view that the period of service prior 21.10.1993 can not be counted. So counted, the petitioner admittedly served the department for nine years and four days which was short of the requisite period of ten years under rule 49 of the Central Civil Services (Pension) Rules, 1972. In that view of the matter, we do not think the Tribunal committed any error in dismissing the original application.

The petition is dismissed.

(MOHAMMAD RAFIQ), J. (S.N.JHA), C.J.

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